



## BOARD OF SELECTMEN

P.O. Box 669  
Townsend, Massachusetts  
01469-0669  
(508)-597-2837



Selectmen Meeting Agenda  
MEMORIAL HALL  
7:00 P.M.  
September 6, 1994

### I. Preliminaries:

- 1.1 Meeting Called to Order
- 1.2 Roll Call
- 1.3 Agenda - Additions/Deletions

### II. Hearings/Appointments:

- 2.1 7:05 P.M. Alcohol License Hearing: Townsend House Restaurant
- 2.2 7:15 P.M. Amy Collins, Treasurer RE: Hours of Work & Compensation
- 2.3 7:30 P.M. Class III License Hearing: Affinity Auto - John Wolons and request for change to Class II License.
- 2.4 8:30 P.M. Don Hurme, Fire Chief RE: Fire Stations

### III. Appointments of Personnel:

- 3.1 Move to appoint Travis S. Rixford to the Police Department as a Reserve Police Officer for the term September 7, 1994 to June 30, 1995.
- 3.2 Move to appoint the following of the Pepperell Police Department as Special Police Officers for the term September 7, 1994 to June 30, 1995:

Alan S. Davis, Chief  
James A. Scott, Lieutenant  
Benjamin McDonald, Sergeant  
James Peters, Sergeant  
Armando Herrera, Patrolman  
William Greathead, Officer  
David Querze, Officer  
James Bennett, Officer  
Richard Smith, Officer  
David Scott, Officer

Kenneth Beers, Patrolman  
Steven Bezanson, Patrolman  
Peter Gibbs, Patrolman  
Jessica Leblanc, Patrolman  
Paul Nelson, Officer  
Alfred Thibodeau, Officer  
Alan Lessieur, Officer  
Charles Marshall, Officer  
Richard Timpani, Officer

- 3.3 Move to appoint the following to the Fire Department as Firefighters effective September 7, 1994 with a required annual review done prior to July 1st of each succeeding year. A six month probationary period is in effect until March 7, 1994:
- |                      |                   |
|----------------------|-------------------|
| Patrick J. Blanchard | Patrick V. Loftus |
| Michal J. Cullinan   | Jonathan E. Ryan  |
| Laurie A. Robinson   | Matthew T. Allen  |
| Kevin M. Pomeroy     | David B. Langton  |
- 3.4 Move to appoint John L. Caten, Jr. of 224 Main Street to the Microloan Loan Policy Committee as Townsend's Representative.

IV. New Business:

- 4.1 Review and award bids for Highway Materials.  
4.2 Review and sign Agreement with Pepperell RE: Animal Control Services.  
4.3 Move to approve Driveway Permit #10-94 for Sean-Paul Enterprises - 165 Warren Road, M31/B39/L2.

V. Old Business:

- 5.1 Review and approve Driveway Permit #8-94 for Michael M. Cushion for 8/9 meeting.  
5.2 Discuss and/or act on letter from Robert Boudreau, Esquire RE: Sipila property from 8/23 meeting.  
5.3 Review and approve Ambulance Write-Offs from 7/12 meeting RE: Non-coverage Worker's comp.  
5.4 REMINDER of Nashoba Board of Health rabies clinic to be held Saturday, September 10, 1994 from 3PM to 5PM at the West Townsend Fire Station.

VI. Work Session:

- 6.1 Approve Payroll Warrant 10P and/or Bills Payable Warrant 10B.  
6.2 Review purchase orders.  
6.3 Move to approve the minutes from August 23, 1994.  
6.4 Sign letter for Mr. Denig.  
6.5 Sign letter for Fire Chief.  
6.6 Review and/or take action on letter from Abram S. French Fund Committee.  
6.7 Review letter from N.M.R.S.D. Study Committee.  
6.8 Review STM Warrant Articles.  
6.9 Executive Secretary Report.

VII. Adjournment



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### MINUTES OF MEETING HELD September 6, 1994

- 1.1 Meeting was called to order by Chairman Rebholz at 7:05 P.M.
- 1.2 Roll call taken showed Chairman Robert L. Rebholz, Vice Chairman Frederick J. Darling and Clerk Andrea R. Wood present.
- 1.3 There was an addition added to 6.9 under the Executive Secretary's Report regarding complaint of an establishment.
- 2.1 A hearing was conducted for the Cooperage, Inc. d/b/a Townsend House Restaurant regarding additional square footage being added to their All Alcoholic Common Victualler license for the premises located at 2 Depot Street. The Chairman announced the hearing and the petitioner, read the legal notice published in the local paper, reviewed the list of abutters and return receipts, reviewed the sketch submitted showing the additional room to be called game room (12'10 1/2" x 14'5") and the two new bathroom facilities (approximately 6' x 9' & 6' x 6'6"). Mr. Robert Dickhaut, Manager, indicated to the Board that once these bathrooms were in working condition then he will be renovating the original bathrooms to be handicapped accessible. The audience was queried for support/objections. Wood moved to approve the expansion of 323 square feet for the Townsend House Restaurant, seconded by Darling. Three in favor with none opposed. The Board signed the Form 43 which will be sent off to the A.B.C.C. with the additional paper work required.
- 2.2 Town Treasurer Amy Collins met with the Board to discuss her hours of work and compensation. She informed the Board with regret that she could not work the hours she had previously committed to when asked for a work schedule not including Fridays. She requested the Board consider Monday through Thursday 9AM to 4PM with other hours made up over the 4 days. She is not able to be in at work for 8 AM and it would be more feasible to work later in the days. Mrs. Collins informed the Board that she usually handles tax title matters by appointment. She submitted to the Board for their review other employee hours and pays for the Board to consider where she stands. The Board stated they would take the information under advisement and would schedule a meeting later with her to discuss the matter.
- 3.1 Chairman Rebholz moved to appoint Travis S. Rixford to the Police Department as a Reserve Police Officer for the term September 7, 1994 to June 30, 1995. Seconded by Wood. Three in favor with none opposed.
- 3.2 Chairman Rebholz moved to appoint the following of the Pepperell Police Department as Special Police Officers for the term September 7, 1994 to June 30, 1995:

Alan S. Davis, Chief	
James A. Scott, Lieutenant	Kenneth Beers, Patrolman
Benjamin McDonald, Sergeant	Steven Bezanson, Patrolman
James Peters, Sergeant	Peter Gibbs, Patrolman
Armando Herrera, Patrolman	Jessica Leblanc, Patrolman
William Greathead, Officer	Paul Nelson, Officer
David Querze, Officer	Alfred Thibodeau, Officer
James Bennett, Officer	Alan Lessieur, Officer
Richard Smith, Officer	Charles Marshall, Officer
David Scott, Officer	Richard Timpani, Officer

Seconded by Wood. Three in favor with none opposed.

2.3

A hearing was conducted for John Wolons, Affinity, Inc. d/b/a Affinity Auto regarding his application filed for a Class III License for the premises located at 58 Old Turnpike Road. The Chairman announced the hearing and the petitioner, read the legal notice published in the local paper, and reviewed the list of abutters and return receipts. Selectwoman Wood asked the Board to have a member attend the Planning Board meeting on September 19th to be informed of the language in the Special Permit that was granted and being amended. Chairman Rebholz asked if Mr. Wolons had his certificate from the Town Clerk's Office certifying the 20 day appeal period had passed. Mr. Wolons responded no. The Board queried Mr. Wolons for hours of operation. He responded M-F 8AM to 6PM and Saturday 8AM to 12PM +/- . The audience was queried for support/objections. The Board indicated to Mr. Wolons that by the fourth of October they would like to see in writing 1) Appeal Period Certification, 2) All suits dropped and notification thereof, and 3) An agreement made between Mr. Wolons, Planning Board and the Zoning Board of Appeals. Chairman Rebholz moved to continue the Class III hearing for John Wolons d/b/a Affinity Auto to October 4, 1994 at 7:30 P.M. Seconded by Darling. Three in favor with none opposed.

At this time the Board reviewed Mr. Wolons request for additional information be added to his present Class II license. A requirement for his dealer plates is that Affinity, Inc. be on his license not just John M. Wolons. The Board approved the request that the information of Affinity, Inc. be added to his license along side his name.

3.3

Selectwoman Wood moved to appoint the following to the Fire Department as Firefighters effective September 7, 1994 with a required annual review done prior to July 1st of each succeeding year. A six month probationary period is in effect until March 7, 1994:

Patrick J. Blanchard	Patrick V. Loftus
Michal J. Cullinan	Jonathan E. Ryan
Laurie A. Robinson	Matthew T. Allen
Kevin M. Pomeroy	David B. Langton

Seconded by Rebholz. Three in favor with none opposed. Selectwoman Wood then asked for reconsideration by the Board for the reason that those being appointed do not solve the Chief's daytime response problem. Selectwoman Wood moved to table the appointments until 8:30 P.M. when the Board was scheduled to meet with the Fire Chief regarding other issues and that they be reconsidered. Seconded by Rebholz. Three in favor with none opposed.



3.4 Chairman Rebholz moved to appoint John L. Caten, of 224 Main Street as Townsend's Representative to the Microloan Loan Policy Committee effective September 7, 1994 to June 30, 1995. Seconded by Darling. Three in favor with none opposed.

4.1 The Board reviewed the FY95 Road Material Bids and the recommendation of the Highway Superintendent. The following awards were made for each item bid:

ITEM 1 - Bituminous Concrete Type I Hot Top

The Board requested a definition from Superintendent Felton on "Inplace" price before awarding.

ITEM 2 - Sand

Moved by Rebholz to award W.J. Graves Construction, Inc., 192 Depot Rd., P.O. Box 401, East Templeton, MA 01438-0401 the bid for Item 2, Sand at the delivered price of \$6.75. Seconded by Darling. Unanimous.

ITEM 3 - Salt

Moved by Rebholz to award Eastern Salt Company, Inc., 15 Tyngsboro Road, N. Chelmsford, MA 01863 the bid for Item 3, Salt at the delivered price of \$35.64. Seconded by Darling. Unanimous.

ITEM 4 - Seal Coating

Moved by Rebholz to award All States Asphalt, Inc., P.O. Box 91, Sunderland, MA 01375 the bid for Item 4, Seal Coating at the Inplace price of \$0.849. Seconded by Darling. Unanimous.

ITEM 5 - Pipe

Moved by Rebholz to award Penn Culvert Company, Iron Horse Park, North Billerica, MA 01862 the bid for Item 5, Pipe at the prices per attached lists. Seconded by Darling. Unanimous.

ITEM 6 - Line Painting

Moved by Rebholz to award Safety Traffic Markings, Inc. P.O. Box 848, S. Carver, MA 02366 the bid for Item 6, Line Painting at the following prices:

4" Refl. White - .0198	4" Refl. Yellow - .0195
X-Walks w/pumis - .18	Curved Arrows - \$20.00
12" Edge - .18	

Seconded by Darling. Unanimous.

ITEM 7 - Catch Basin Cleaning

Moved by Rebholz to award J. Parker Catch Basin Cleaning, 82 Berkeley Street, North Billerica, MA 01862 the bid for Item 7, Catch Basin Cleaning at the per basin price of \$6.29. Seconded by Wood. Unanimous.

ITEM 8 - 3/8" Stone

Moved by Rebholz to award W.J. Graves Construction Co., Inc., 192 Depot Road, P.O. Box 401, East Templeton, MA 01438-0401 the bid for Item 8, 3/8" Stone at the F.O.B. price of \$8.00 and the delivered price of \$10.50. Seconded by Wood. Unanimous.

ITEM 9 - Grinding

Moved by Rebholz to award All States Asphalt, Inc., P.O. Box 91, Sunderland, MA 01375 the bid for Item 9, Grinding at the per square yard price of \$1.30. Seconded by Darling. Unanimous.

ITEM 10 - Asphalt for Pug-Mill Patch

Moved by Rebholz to award All States Asphalt, Inc., P.O. Box 91, Sunderland, MA 01375 the bid for Item 10, Asphalt for Pug-Mill Patch at the per gallon price of \$1.18. Seconded by Darling. Unanimous.

The Board requested that Superintendent Felton be invited to the next meeting for discussion or that he be contacted for clarification of pug-mill patching uses. Selectwoman Wood will contact Superintendent Felton. The Board again held discussion on Item 1 and the definition of "inplace" price. Chairman Rebolz moved to award Roads Corporation, 241 Treble Cove Road, North Billerica, MA 01862 at the inplace price of \$26.18. Seconded by Wood. Three in favor with none opposed.

- 4.2 Chairman Rebolz moved to sign the "Memorandum of Agreement" effective July 1, 1994 through June 30, 1995 and the FY95 Budget Certification of Appropriation with the Town of Pepperell for Animal Control Services. Seconded by Selectwoman Wood. Three in favor with none opposed.

At this time Selectwoman Wood acknowledged the volunteer time Kathy Comeau, Animal Control Officer put in to help with fines and the rough time that the Town Clerk's Office experienced. Selectman Darling stated he wished the Town of Townsend had sent out reminder notices of the \$25.00 fine as the Town of Pepperell did. Ms. Comeau stated that the Town of Pepperell also went back and collected for each and every year the dogs were not licensed.

- 4.3 Chairman Rebolz moved to approve Driveway Permit #10-94, 165 Warren Road, M31/B39/L2 for Sean-Paul Enterprises. Seconded by Darling. Two in favor with one absent for the vote (Wood).

- 5.1 The Board reviewed Driveway Permit #8-94 previously discussed at a prior meeting. The Board was informed that this permit was not the same permit approved as previously thought (#124-93) and that both the Superintendent and the Building Inspector had sight walked the driveways in question. An incorrect lot number on the permit application caused confusion. Selectman Darling suggested that the Board have a policy for distances openings can be from telephone poles as the 3' foot distance remains a concern for the Board. Selectwoman Wood offered to meet with both the Superintendent and the Building Inspector to discuss the Driveway Policy. Chairman Rebolz moved to approve Driveway Permit #8-94 for Michael M. Cushion, 303 Townsend Hill Road, M36/B22/L1B. Seconded by Selectman Darling. Three in favor with none opposed.

- 2.4 Fire Chief Don Hurme met with the Board to inquire if they would consider having a five member study committee to review the fire stations. Information obtained would be the ground work started for any future grant applications that could be applied for. The Chief informed the Board that the current stations are too crowded, narrow entrance ways, built in the 1800's not efficient for heating etc. Selectman Darling requested a report of the deficiencies of the stations.

Chief Hurme requested the Boards approval for the Firefighter Aide Anne and himself to attend a grant seminar.

Reviewed expense budget and the future need to replace his vehicle. Selectwoman Wood suggested that the Chief advise the Finance Committee of his projected expenses or possible need to have an article sponsored. A copy to be submitted to the Board of Selectmen.

- At this time the Board took up the reconsideration of the Fire Department Appointments. The Chief was advised to keep his eyes open for the day time response problem. Selectman Darling moved to approve the appointments previously appointed and under reconsideration from 3.3. Seconded by Wood. Three in favor with none opposed. The Chief asked the Board to consider a 4 day work week for his office also as they are considering for the Memorial Hall/Annex employees. The Board will discuss and advise him at a later time. The Board at this time presented a letter to the Fire Chief regarding his response to the Fitchburg Fire. The Board was invited by the Fire Chief to Fire Academy training November 8-10 in the evening. Live fire training will be done.
- 5.2 The Board discussed a letter RE: Sipila Property from August 23rd meeting. Counsel's opinion not agreed with. Selectwoman Wood stated if taken out of tax title it is not fair to previous inquiries under original system. The Board requested Town Counsel be advised to send a letter to Attorney Boudreau indicating the Board is not interested in entering into an agreement with his clients.
- 5.3 The Board tabled acting on the Ambulance Write-Offs RE: Non-coverage Worker's Comp. from July 12th meeting pending Selectwoman Wood contacting Ambulance Billing Clerk for more clarification than submitted for this meeting.
- 5.4 Chairman Rebholz announced reminder of Nashoba Board of Health rabies clinic to be held Saturday, September 10, 1994 from 3PM to 5PM at the West Townsend Fire Station.
- 6.1 Chairman Rebholz moved to approve Bills Payable Warrant 10B. Seconded by Darling. Three in favor with none opposed. Selectwoman Wood moved to approve the Payroll Warrant 10P. Seconded by Darling. Two in favor with one abstention (Rebholz).
- 6.2 The Board reviewed and approved the purchase orders.
- 6.3 Chairman Rebholz requested a correction to the minutes from August 23, 1994 under 4.1. which should read that he abstained only from the payroll warrant not the bills payable. At this time it was mentioned to the Board to review their One-Day Liquor License Policy as it has been noted in the minutes that the Board in past practice has set a time of noon time for the sale of alcoholic beverages at events. The Board agreed to review and update policy.
- 6.4 The Board signed letter for Dr. Denig from previous meeting.
- 6.5 The Board signed and present this letter to the Fire Chief under 2.4 of the agenda.
- 6.6 Chairman Rebholz moved to approve transfer request for the Abram S. French Fund Committee in the amount of \$293.90. Seconded by Darling. Three in favor with none opposed.
- 6.7 Selectwoman Wood moved to place article request of the N.M.R.S.D. Study Committee regarding the restructuring of the N.M.R.S.D. Committee. The article would amend the District Agreement to now be 3 members from Ashby, 8 members from Pepperell and 7 members from Townsend. Seconded by Selectman Darling. Three in favor with none opposed. The Board was questioned by Times Free Press Reporter Walsh as to why the Board just received the article request 9/6 and that the

warrant was already closed. She indicated it was her understanding that the representatives were to deliver the article to the Boards of Selectmen of their town earlier. Selectwoman Wood stated that the Selectman can place articles on the warrant up until the warrant is posted and that this was only outstanding business which would not hurt anyone.

- 6.8 The Board reviewed the draft of the Special Town Meeting Warrant Articles. The Board was not aware of all of the articles put forth and voted to have a work session on September 13, 1994 at 7:30 P.M. to review the articles. They were advised of Town Counsel's recommendations which will be added.

6.9 EXECUTIVE SECRETARY REPORT:

A) Chairman Rebholz acknowledged receipt of a complaint against a Town Employee. The Board voted to send a copy of the complaint to the employee and to set up a meeting on September 20, 1994 at 8:30 p.m. to discuss the matter. Motion made by Chairman Rebholz, seconded by Selectwoman Wood and unanimously voted.

B) Chairman Rebholz acknowledged receipt of a complaint against an establishment in Town. Moved by Selectwoman Wood to send a letter to the Board of Health encouraging them to request an inspection be done by the Nashoba Board of Health office and that a copy of the report in writing be sent to the Board including date, time and findings. Seconded by Selectman Rebholz. Three in favor with none opposed.

C) Possible projects for Eagle Scouts were reviewed. One mentioned was the possibility of new equipment for the playground "Kids Country".

D) Informed that the revised easement for the West Meadow Bridge received. The Board requested that it be forwarded to the Dow's for signature.

E) Update to Police Chief's memo regarding painting of crosswalk at Rte. 119/Old Turnpike Road. State waiting for materials to do the work.

F) Status of lightening claim requested by PZ Massamont. Board had no information.

G) Informed of Municipal Forum meeting. Selectwoman Wood suggested Secretary Beverly Sleeper along with herself and anyone else interested to attend. Selectman Darling indicated he would also like to attend on October 4th.

H) Informed of Mrs. O'Donnell's request for an update of change on Rte. 13 from passing zone to no passing zone. Selectwoman Wood to contact her.

Moved by Chairman Rebholz to adjourn the meeting at 10:50 P.M. Seconded by Selectman Darling. Three in favor with none opposed.

Respectfully submitted:

  
Beverly J. Sleeper



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## MINUTES FROM WORK SESSION HELD September 13, 1994

- 1.1 Chairman Rebholz called the meeting to order at 7:43 pm.
- 1.2 Roll call showed all selectmen present.
- 1.3 Selectman Wood explained that Selectman Darling had a complaint he wished to talk about and she wished to talk about investing town funds. The items were added to the agenda as 2.13 and 2.14.
- 2.1 Selectman Darling moved to approve the payroll warrant 9P. Seconded by Selectman Wood. Two in favor (Darling and Wood) with no one against and one abstention (Rebholz). Selectman Darling and Bills Payable Warrant 7B.
- 2.2 Purchase orders were reviewed and approved.

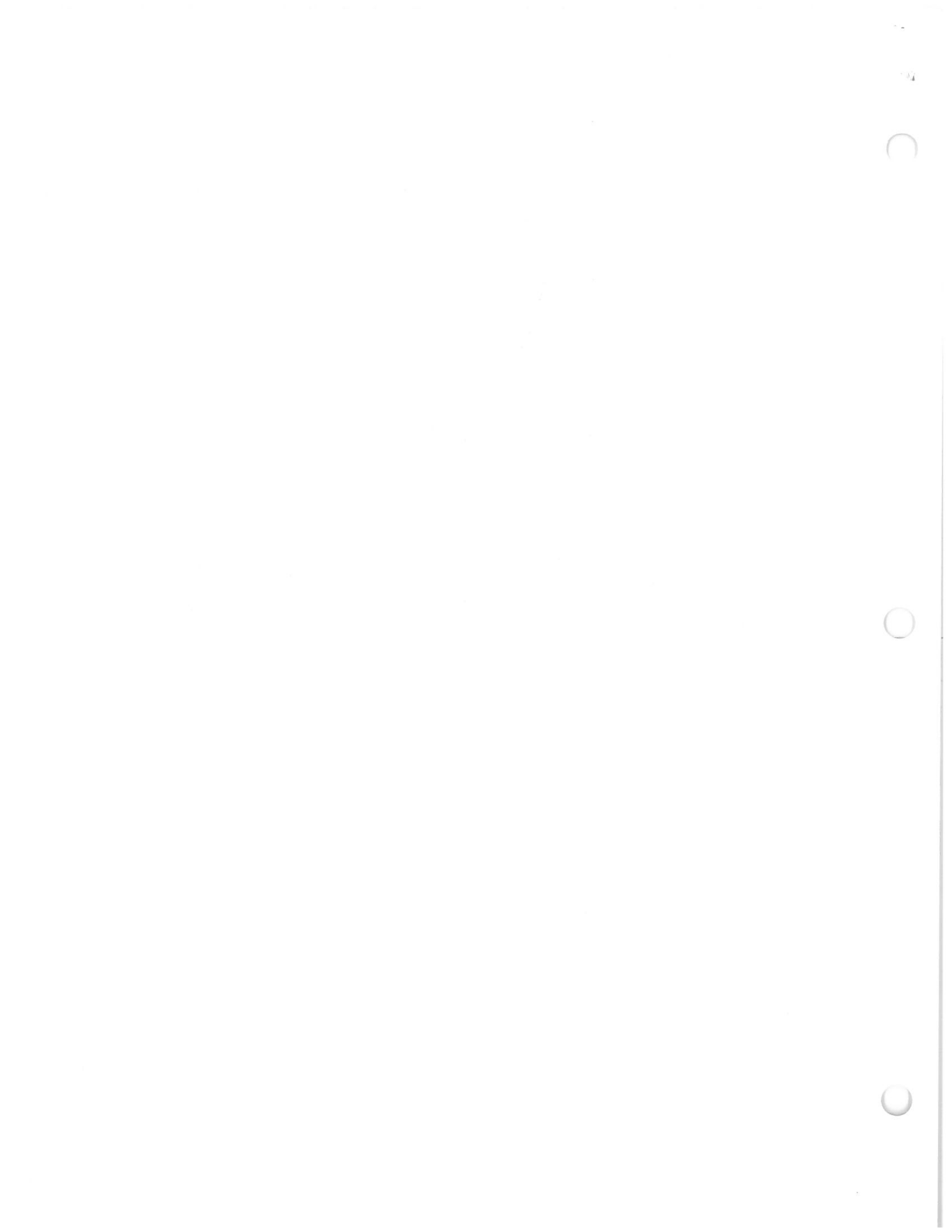
Selectman Wood asked that this item ,2.3, be acted on after all other items on tonight's agenda. The other board members agreed with Selectman Wood's request.

- 2.4 The board discussed the Abram S. French Fund's request for a transfer of funds. Selectman Wood asked for some type of accounting of the funds should the request be approved. Selectman Darling suggested a monthly accounting of the funds. The board agreed with this suggestion. Chairman Rebholz moved to approve the request from the Abram S. French Fund for a transfer of funds in the amount of \$4,850.00 with the sum to be split equally between the Atwood Fund and the Amanda Dwight Fund, with a monthly report on the use of the funds to be given to the Selectmen. Seconded by Selectman Wood. All in favor.
- 2.5 The board discussed the request received from Committee to Elect Virginia Wood. Selectman Wood said she had no problem as long as we invited all other candidates in as well. Chairman Rebholz expressed that this is an issue we either deal with or not. Selectman Darling stated we would be opening a can of worms and that he did not have a problem with elected officials addressing the board but he does if they are a candidate for office. Chairman Rebholz moved to invite Virginia Wood to a Selectmen's meeting. Seconded by Selectmen Wood. There were no votes in favor of the motion and three in opposition to it. The motion failed.
- 2.6 The board reviewed the Highway Bids for Item 1. Selectman Wood explained she had talked to the Highway Superintendent and that he stated he needed both the In-Place and the F.O.B. awards. She explained that one was for him to pick up and the other was when it is put in place on the road. Discussion on the subject took place. Chairman Wood move to approve the In-Place bid by Roads Corporation and the F.O.B. bid for Pike Corporation. Seconded by Selectmen Darling. All in favor.

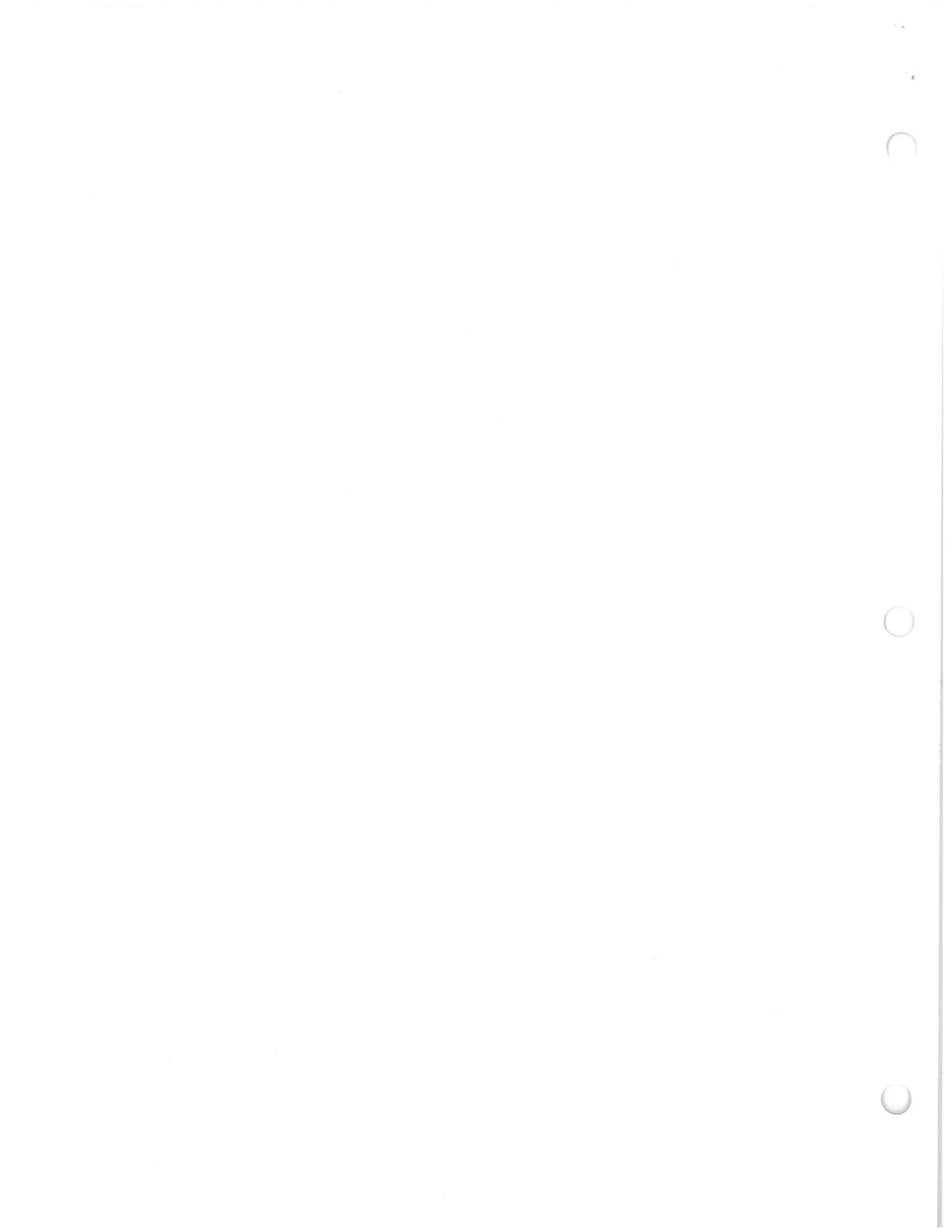




- 2.7 The board reviewed the request from the Police Chief regarding towing. Chairman Rebholz moved to fill the vacancy in the towing operators left by Mr. Baro's with Mr. Shank of Harbor Auto Body. Seconded by Selectman Wood. All in favor.
- 2.8 The board discussed a date and time to meet with Treasurer regarding her pay & hours. The board decided to put the discussion of pay off until October 4, 1994, and to discuss the hours of operation for the treasurer on the 20th of this month. Selectman Wood explained she would like to talk to counsel before discussing this issue.
- 2.9 The board set the date of the 20th of this month to discuss the Town Hall/Annex hours for publication with an effective date of October 3rd.
- 2.10 The board members were given a copy of the letter received from Mr. Page regarding a language flaw in Article VII, Section 3.3. Selectman Darling stated the animal control officer said we are on solid ground. Chairman Rebholz stated he felt that Mr. Page had misinterpreted our by law and can proceed as he feels necessary. Selectman Darling questioned what would happen to hardship cases. The animal control officer explained that the court would decide that matter. Selectman Darling disagreed with Ms. Comeau and suggested the judge may ask for her/the town's input. Chairman Rebholz took the opportunity to announce that all late fees and fines could be paid, until the date of the hearing in court, to the Town Clerk's office. He went on to say that we cannot make exceptions. The board then discussed the possibility of putting a notice in the paper in the future.
- 2.11 Selectman Wood was reminded of having a member of Board attend Planning Board Meeting on 9/19 regarding Wolons. Selectman Wood said she was going to the meeting.
- 2.12 The board was extended an invitation to the Cablevision "Open House" Thursday, September 15 from 7PM to 9PM at N.M.R.H.S. Room 66.
- 2.13 Selectman Darling explained he received a letter from a company that wants to put a plate glass business in a building on Main Street in West Townsend. He explained further that he asked the Building Inspector about this happening and the response was no problem. He also said the Land Use Administrator stated it would take 4 to 6 months and cost \$200.00. Selectman Wood addressed the issue and said the process for non conforming use and that it has to go through the process. Selectman Darling said this individual does not want to invest \$200.00 without assurances of approval in a short time. Chairman Rebholz expressed there is a process and that it has to be adhered to. Selectman Darling said he is not advocating for any exceptions but that we should be cooperative and not scare business away, he referred to the Boston Herald article relating the story of the State seeking businesses for the state. Selectman Darling asked why it would take four months. Chairman Rebholz stated that the various boards in town do not work to prohibit businesses from locating in town and my job is to uphold the by laws of this town. Selectman Wood said she believes the boards act in faster fashion than four months. Selectman Darling asked Selectman Wood about the forms that have to be filled out. Selectman Wood explained the forms to be filled out. Selectman Darling stated he would like to see this business in town.



- 2.14 Selectman Wood mentioned she had met with an investment group regarding the possibility of investing town funds. She gave the other members of the board material to review.
- 2.3 The board reviewed the SPECIAL TOWN MEETING WARRANT ARTICLES for the June 29, 1994, Special Town Meeting. Chairman Rebholz asked what the price was for Article 4. The Executive Secretary explained that bids would be received on the 27th and an amount would be inserted. Chairman Rebholz explained that article five was part of old article fourteen and that it was on counsel's advice that it was revised. Selectman Wood asked what article six was about. The Executive Secretary explained that this would combine the payroll for the Library and Memorial Hall/Annex custodian positions and would allow for only one payroll to be submitted instead of the two that are currently submitted. It was further explained that Mr. Denig, former Library Trustee, agreed that this was the way to handle this matter. Selectman Wood asked about article 10 and it was explained that the roof is leaking and needs to be repaired. Chairman Rebholz said the problem could be just the flashing or it may need to be replaced. The Executive Secretary explained that estimates were to be obtained and a dollar figure supplied prior to town meeting. Selectman Wood asked what the cost of commuter equipment would be for article 10. It was explained that Dave Vanderwerf and Niles Busler would be giving us a figure. The Executive Secretary explained that the Town Clerk would have article 13 passed over/take no action at town meeting. Mr. West, Town Moderator, asked if an override would be necessary if article 12 passes. Chairman Rebholz explained that articles 5, 12, and 15 are connected and if article 5 passes then there is no need for the other two articles. Discussion with the Animal Control Officer took place on article 16. The board discussed article 17 and Mrs. Sleeper explained that the Neglect of Duties section was changed. The Executive Secretary explained the recall was a combination of Groton's and Rockland's and provides for real reasons to call for a recall. Chairman Rebholz moved to change the zero to fifty on article 18. Seconded by Selectman Wood. All in favor. The board then discussed the article for School Representation. Chairman Rebholz said it has not gone through the proper process and that we should not act on it. Selectman Darling expressed that we should let the people decide and that he was sure it was not going to pass. Selectman Wood explained she talked to the School Superintendent, Jim McCormick, and feels that something is amiss. Chairman Rebholz said it is not legal and should not be on the warrant until the proper procedure is followed. Selectman Darling said they can catch us by petitioning us. Discussion continued on the matter. Chairman Rebholz moved to reconsider the vote of last week placing this article on the warrant. Seconded by Selectman Wood. Two in favor, Rebholz and Wood, with one opposed (Darling). The board continued their discussion on this matter and Selectman Darling asked what motive there was to continue this. Wood explained she believes the issue has to be resolved through the courts. Chairman Rebholz moved to take the article for School Representation off of the warrant.



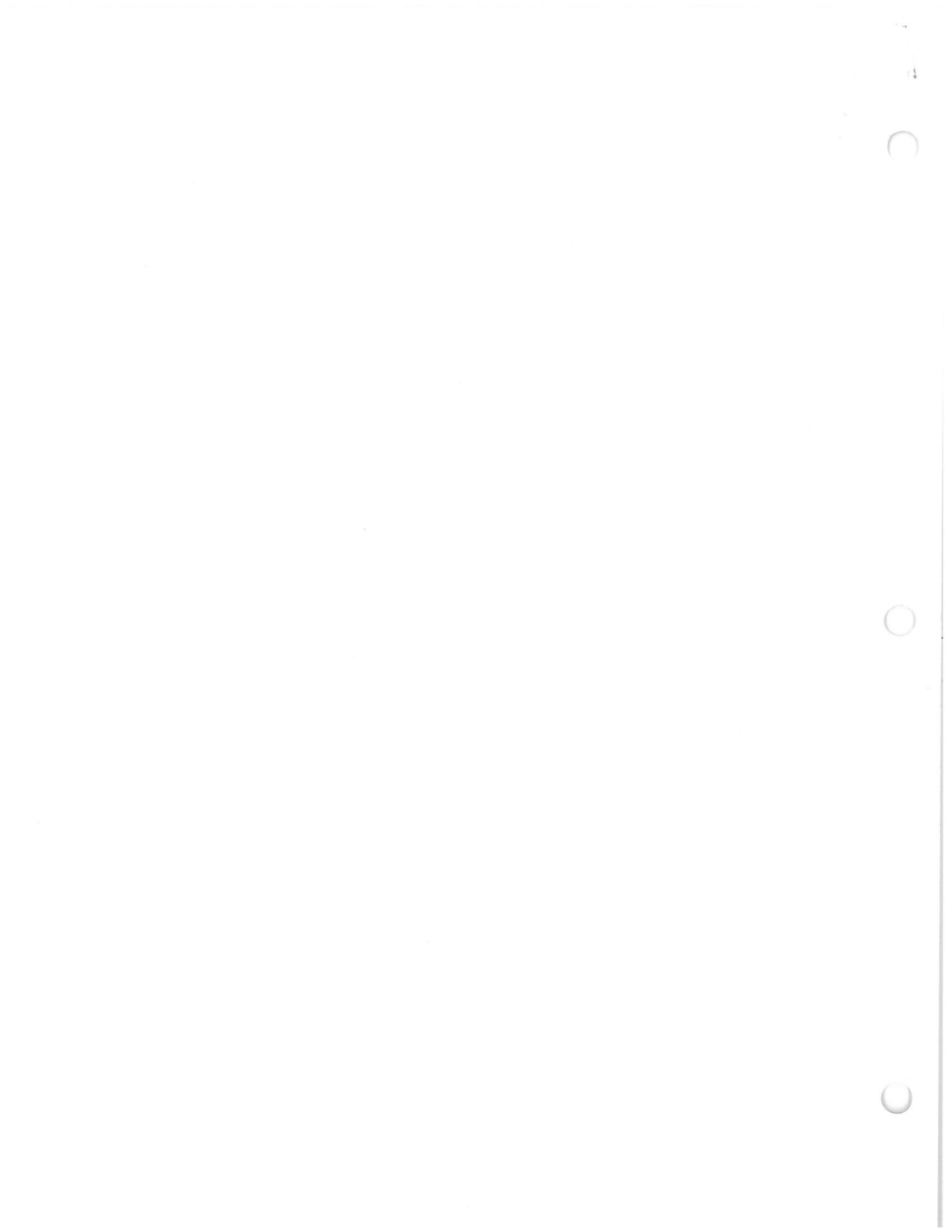


Seconded by Selectman Wood. The board discussed the intent, ramification and practicality of the article. The board also discussed the legal issues surrounding the same. Selectman darling reiterated that one town can push the issue by petition and how do we know that Pepperell is not sitting on a petition. Chairman Rebholz explained that that assumption is incorrect and that the petition would be to put a motion on all three town warrants. Discussion as to the reasons for Pepperell putting it on the warrant took place. Selectmen Rebholz and Wood voted yes on the motion to remove the article from the warrant and Selectman Darling voted no. The motion passed and the School Representation article was removed from the warrant. Chairman Rebholz moved to sign the warrant. Seconded by Selectman Wood. All in favor.

Chairman Rebholz moved to adjourn the meeting at 9:55 pm. Seconded by Selectman Wood. All in favor.

Submitted by:  
Timothy P. Bragan  
October 4, 1994

0087C/66-69





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### Selectmen Work Session Agenda MEMORIAL HALL 7:30 P.M. September 13, 1994

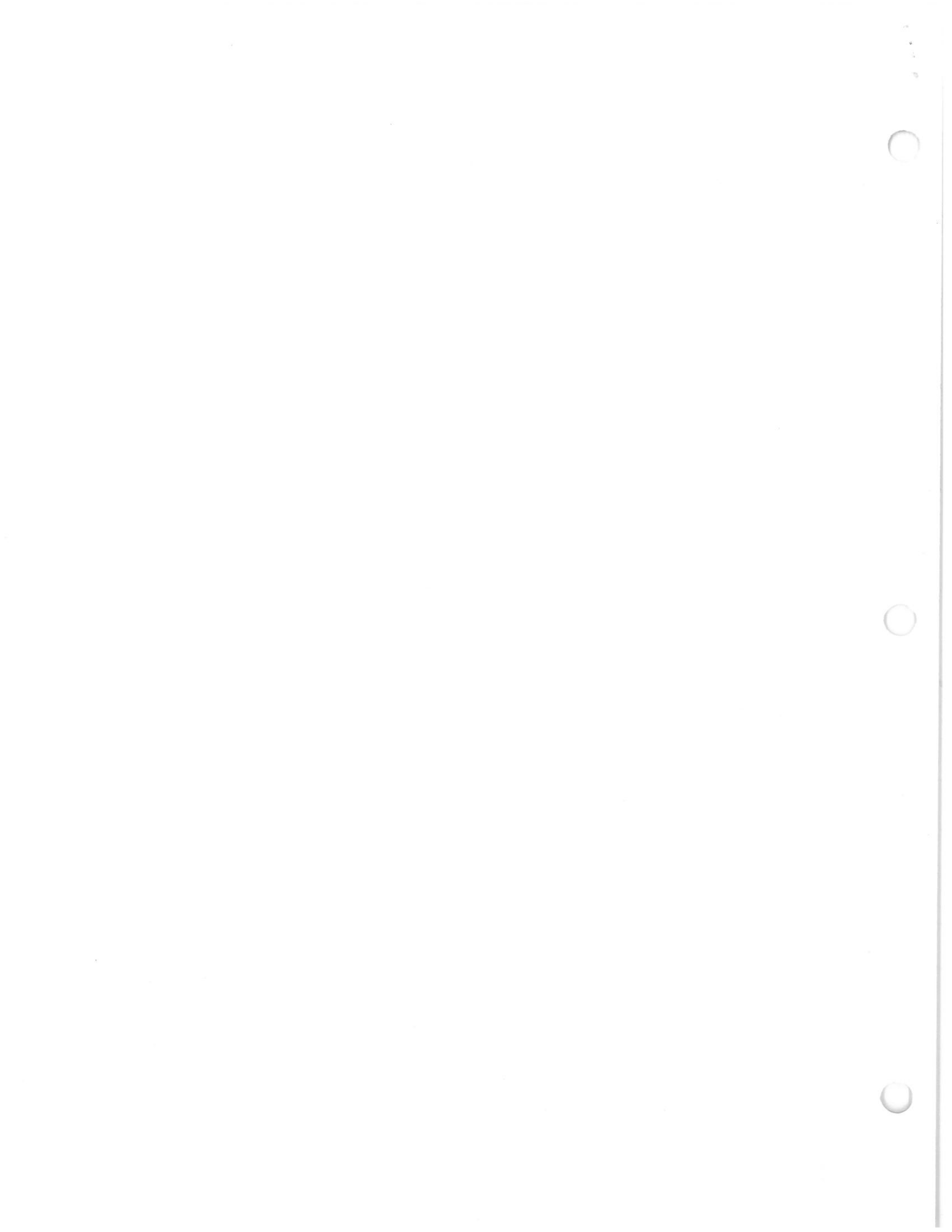
#### I. Preliminaries:

- 1.1 Meeting Called to Order
- 1.2 Roll Call
- 1.3 Agenda - Additions/Deletions

#### II. Work Session:

- 2.1 Approve Payroll Warrant 7P and Bills Payable Warrant 7B.
- 2.2 Review purchase orders.
- 2.3 REVIEW SPECIAL TOWN MEETING WARRANT ARTICLES. Warrant to be posted Thursday 9/15.
- 2.4 Discuss and/or approve transfer request from Abram S. French Fund Committee. (See outline of request)
- 2.5 Respond to letter received from Committee to Elect Virginia Wood.
- 2.6 Review Highway Bids for Item 1. Per Highway Superintendent two awards needed - Inplace and F.O.B.
- 2.7 Review request from Police Chief for Shank to fill in for Baro in his absence as an approved police tow.
- 2.8 Discuss date and time to meet with Treasurer RE: pay & hours.
- 2.9 Discuss date and time to discuss Town Hall/Annex hours for publication - effective date of October 3.
- 2.10 Give Board for review a copy of letter received from Mr. Page regarding language flaw in Article VII, Section 3.3.
- 2.11 Reminder to ARW - Discuss member of Board to attend Planning Board Meeting on 9/19 RE: Wolons.
- 2.12 Extend invitation to Board RE: Cablevision "Open House" Thursday, September 15 from 7PM to 9PM at N.M.R.H.S. Room 66.

#### III. Adjournment



# BOARD OF SELECTMEN

P.O. Box 669  
Townsend, Massachusetts  
01469-0669  
(508)-597-2837



Selectmen Work Session Agenda  
MEMORIAL HALL  
7:30 P.M.  
September 13, 1994

## I. Preliminaries:

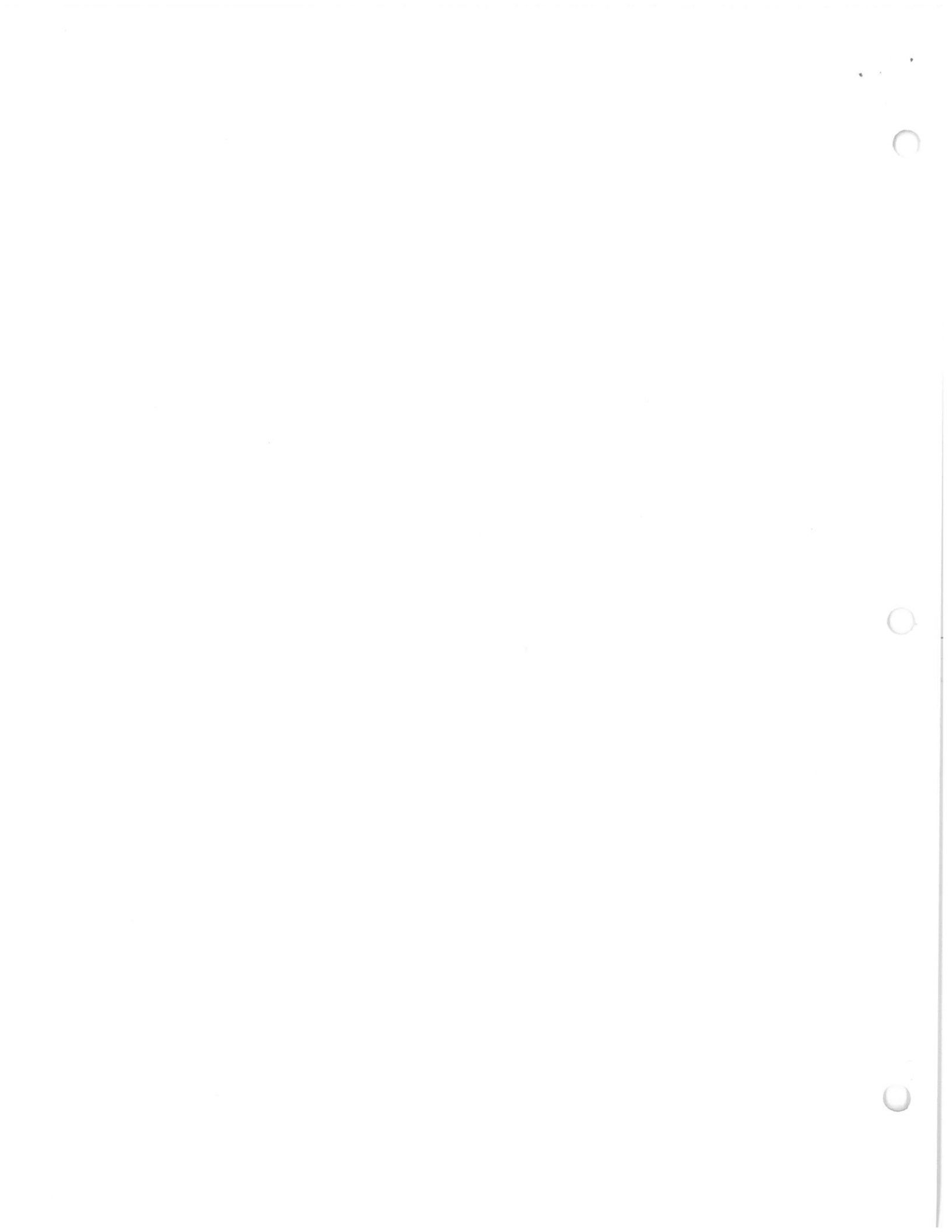
- 1.1 Meeting Called to Order
- 1.2 Roll Call
- 1.3 Agenda - Additions/Deletions

## II. Work Session:

- 2.1 Approve Payroll Warrant 7P and Bills Payable Warrant 7B.
- 2.2 Review purchase orders.
- 2.3 REVIEW SPECIAL TOWN MEETING WARRANT ARTICLES. Warrant to be posted Thursday 9/15.
- 2.4 Discuss and/or approve transfer request from Abram S. French Fund Committee. (See outline of request)
- 2.5 Respond to letter received from Committee to Elect Virginia Wood.
- 2.6 Review Highway Bids for Item 1. Per Highway Superintendent two awards needed - Inplace and F.O.B.
- 2.7 Review request from Police Chief for Shank to fill in for Baro in his absence as an approved police tow.
- 2.8 Discuss date and time to meet with Treasurer RE: pay & hours.
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## III. Adjournment







## BOARD OF SELECTMEN

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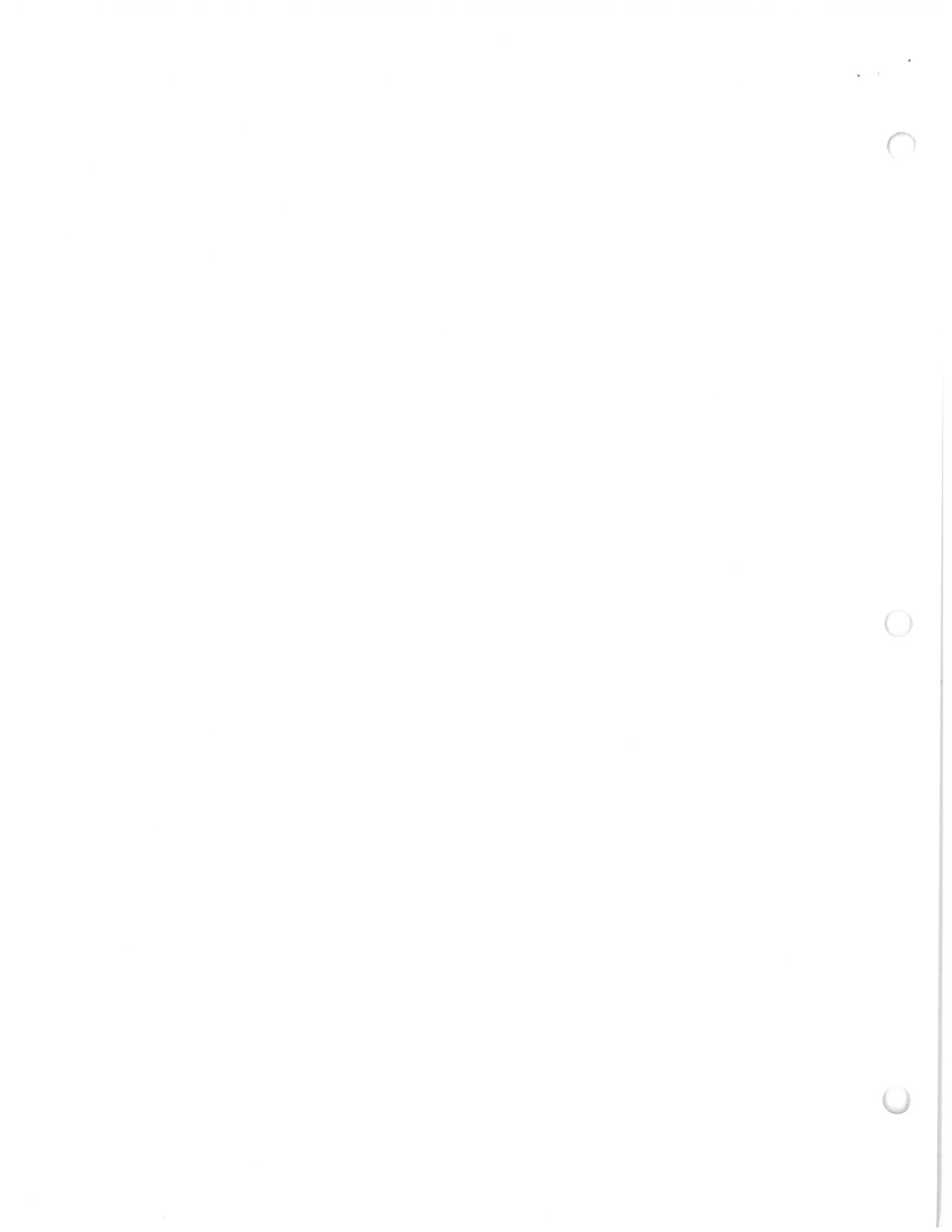


### MINUTES FROM WORK SESSION HELD September 13, 1994

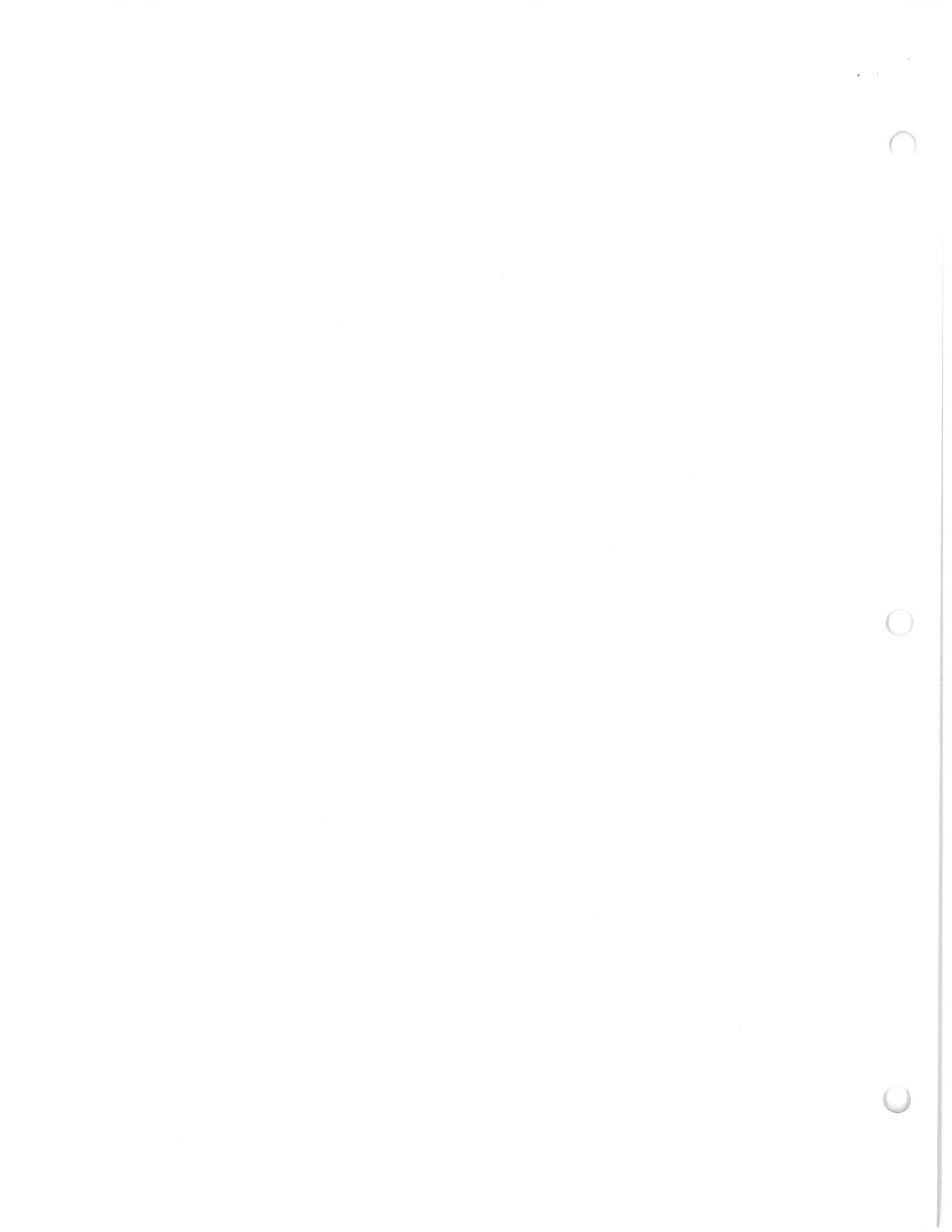
- 1.1 Chairman Rebholz called the meeting to order at 7:43 pm.
- 1.2 Roll call showed all selectmen present.
- 1.3 Selectman Wood explained that Selectman Darling had a complaint he wished to talk about and she wished to talk about investing town funds. The items were added to the agenda as 2.13 and 2.14.
- 2.1 Selectman Darling moved to approve the payroll warrant 9P. Seconded by Selectman Wood. Two in favor (Darling and Wood) with no one against and one abstention (Rebholz). Selectman Darling and Bills Payable Warrant 7B.
- 2.2 Purchase orders were reviewed and approved.

Selectman Wood asked that this item ,2.3, be acted on after all other items on tonight's agenda. The other board members agreed with Selectman Wood's request.

- 2.4 The board discussed the Abram S. French Fund's request for a transfer of funds. Selectman Wood asked for some type of accounting of the funds should the request be approved. Selectman Darling suggested a monthly accounting of the funds. The board agreed with this suggestion. Chairman Rebholz moved to approve the request from the Abram S. French Fund for a transfer of funds in the amount of \$4,850.00 with the sum to be split equally between the Atwood Fund and the Amanda Dwight Fund, with a monthly report on the use of the funds to be given to the Selectmen. Seconded by Selectman Wood. All in favor.
- 2.5 The board discussed the request received from Committee to Elect Virginia Wood. Selectman Wood said she had no problem as long as we invited all other candidates in as well. Chairman Rebholz expressed that this is an issue we either deal with or not. Selectman Darling stated we would be opening a can of worms and that he did not have a problem with elected officials addressing the board but he does if they are a candidate for office. Chairman Rebholz moved to invite Virginia Wood to a Selectmen's meeting. Seconded by Selectmen Wood. There were no votes in favor of the motion and three in opposition to it. The motion failed.
- 2.6 The board reviewed the Highway Bids for Item 1. Selectman Wood explained she had talked to the Highway Superintendent and that he stated he needed both the In-Place and the F.O.B. awards. She explained that one was for him to pick up and the other was when it is put in place on the road. Discussion on the subject took place. Chairman Wood move to approve the In-Place bid by Roads Corporation and the F.O.B. bid for Pike Corporation. Seconded by Selectmen Darling. All in favor.

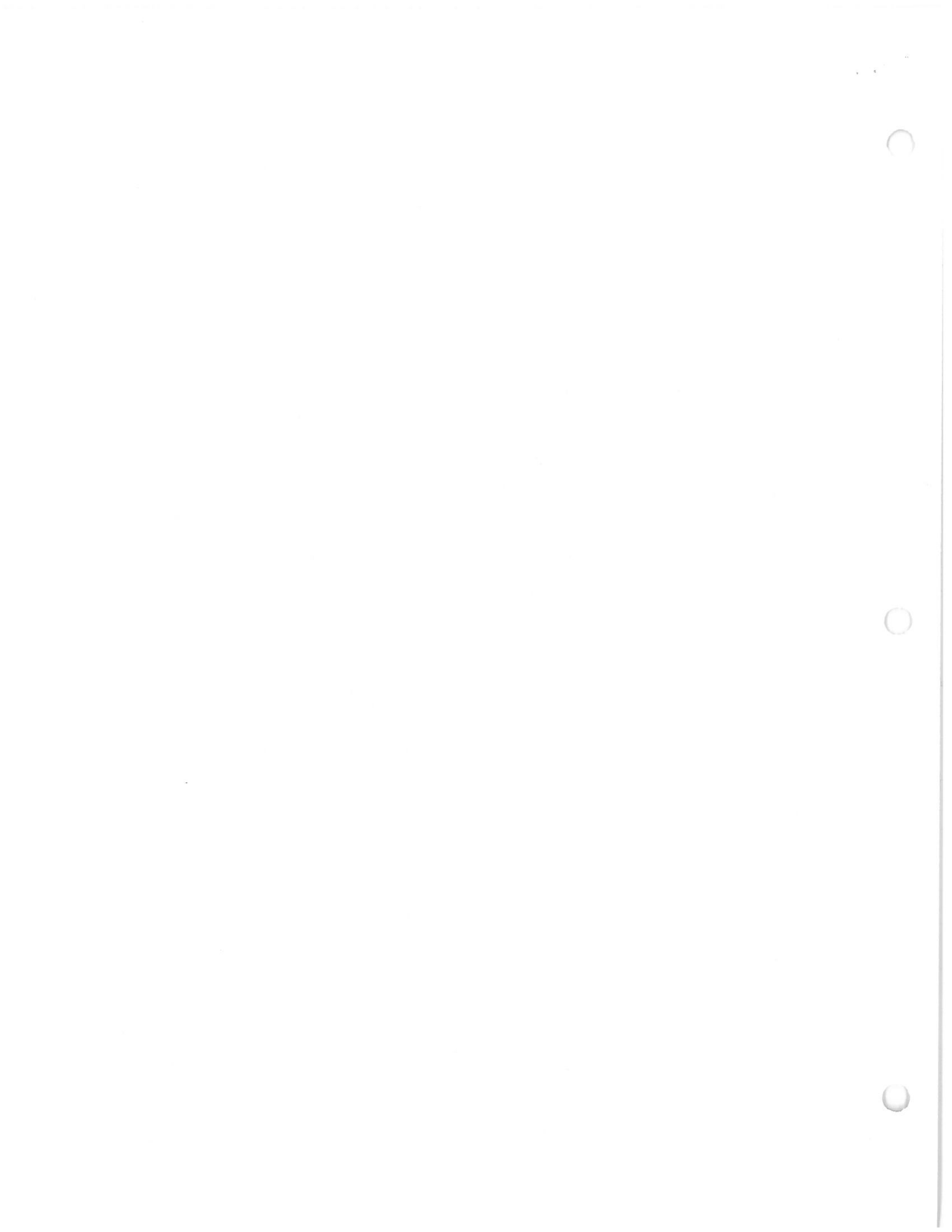


- 2.7 The board reviewed the request from the Police Chief regarding towing. Chairman Rebholz moved to fill the vacancy in the towing operators left by Mr. Baro's with Mr. Shank of Harbor Auto Body. Seconded by Selectman Wood. All in favor.
- 2.8 The board discussed a date and time to meet with Treasurer regarding her pay & hours. The board decided to put the discussion of pay off until October 4, 1994, and to discuss the hours of operation for the treasurer on the 20th of this month. Selectman Wood explained she would like to talk to counsel before discussing this issue.
- 2.9 The board set the date of the 20th of this month to discuss the Town Hall/Annex hours for publication with an effective date of October 3rd.
- 2.10 The board members were given a copy of the letter received from Mr. Page regarding a language flaw in Article VII, Section 3.3. Selectman Darling stated the animal control officer said we are on solid ground. Chairman Rebholz stated he felt that Mr. Page had misinterpreted our by law and can proceed as he feels necessary. Selectman Darling questioned what would happen to hardship cases. The animal control officer explained that the court would decide that matter. Selectman Darling disagreed with Ms. Comeau and suggested the judge may ask for her/the town's input. Chairman Rebholz took the opportunity to announce that all late fees and fines could be paid, until the date of the hearing in court, to the Town Clerk's office. He went on to say that we cannot make exceptions. The board then discussed the possibility of putting a notice in the paper in the future.
- 2.11 Selectman Wood was reminded of having a member of Board attend Planning Board Meeting on 9/19 regarding Wolons. Selectman Wood said she was going to the meeting.
- 2.12 The board was extended an invitation to the Cablevision "Open House" Thursday, September 15 from 7PM to 9PM at N.M.R.H.S. Room 66.
- 2.13 Selectman Darling explained he received a letter from a company that wants to put a plate glass business in a building on Main Street in West Townsend. He explained further that he asked the Building Inspector about this happening and the response was no problem. He also said the Land Use Administrator stated it would take 4 to 6 months and cost \$200.00. Selectman Wood addressed the issue and said the process for non conforming use and that it has to go through the process. Selectman Darling said this individual does not want to invest \$200.00 without assurances of approval in a short time. Chairman Rebholz expressed there is a process and that it has to be adhered to. Selectman Darling said he is not advocating for any exceptions but that we should be cooperative and not scare business away, he referred to the Boston Herald article relating the story of the State seeking businesses for the state. Selectman Darling asked why it would take four months. Chairman Rebholz stated that the various boards in town do not work to prohibit businesses from locating in town and my job is to uphold the by laws of this town. Selectman Wood said she believes the boards act in faster fashion than four months. Selectman Darling asked Selectman Wood about the forms that have to be filled out. Selectman Wood explained the forms to be filled out. Selectman Darling stated he would like to see this business in town.





- 2.14 Selectman Wood mentioned she had met with an investment group regarding the possibility of investing town funds. She gave the other members of the board material to review.
- 2.3 The board reviewed the SPECIAL TOWN MEETING WARRANT ARTICLES for the June 29, 1994, Special Town Meeting. Chairman Rebholz asked what the price was for Article 4. The Executive Secretary explained that bids would be received on the 27th and an amount would be inserted. Chairman Rebholz explained that article five was part of old article fourteen and that it was on counsel's advice that it was revised. Selectman Wood asked what article six was about. The Executive Secretary explained that this would combine the payroll for the Library and Memorial Hall/Annex custodian positions and would allow for only one payroll to be submitted instead of the two that are currently submitted. It was further explained that Mr. Denig, former Library Trustee, agreed that this was the way to handle this matter. Selectman Wood asked about article 10 and it was explained that the roof is leaking and needs to be repaired. Chairman Rebholz said the problem could be just the flashing or it may need to be replaced. The Executive Secretary explained that estimates were to be obtained and a dollar figure supplied prior to town meeting. Selectman Wood asked what the cost of commuter equipment would be for article 10. It was explained that Dave Vanderwerf and Niles Busler would be giving us a figure. The Executive Secretary explained that the Town Clerk would have article 13 passed over/take no action at town meeting. Mr. West, Town Moderator, asked if an override would be necessary if article 12 passes. Chairman Rebholz explained that articles 5, 12, and 15 are connected and if article 5 passes then there is no need for the other two articles. Discussion with the Animal Control Officer took place on article 16. The board discussed article 17 and Mrs. Sleeper explained that the Neglect of Duties section was changed. The Executive Secretary explained the recall was a combination of Groton's and Rockland's and provides for real reasons to call for a recall. Chairman Rebholz moved to change the zero to fifty on article 18. Seconded by Selectman Wood. All in favor. The board then discussed the article for School Representation. Chairman Rebholz said it has not gone through the proper process and that we should not act on it. Selectman Darling expressed that we should let the people decide and that he was sure it was not going to pass. Selectman Wood explained she talked to the School Superintendent, Jim McCormick, and feels that something is amiss. Chairman Rebholz said it is not legal and should not be on the warrant until the proper procedure is followed. Selectman Darling said they can catch us by petitioning us. Discussion continued on the matter. Chairman Rebholz moved to reconsider the vote of last week placing this article on the warrant. Seconded by Selectman Wood. Two in favor, Rebholz and Wood, with one opposed (Darling). The board continued their discussion on this matter and Selectman Darling asked what motive there was to continue this. Wood explained she believes the issue has to be resolved through the courts. Chairman Rebholz moved to take the article for School Representation off of the warrant.

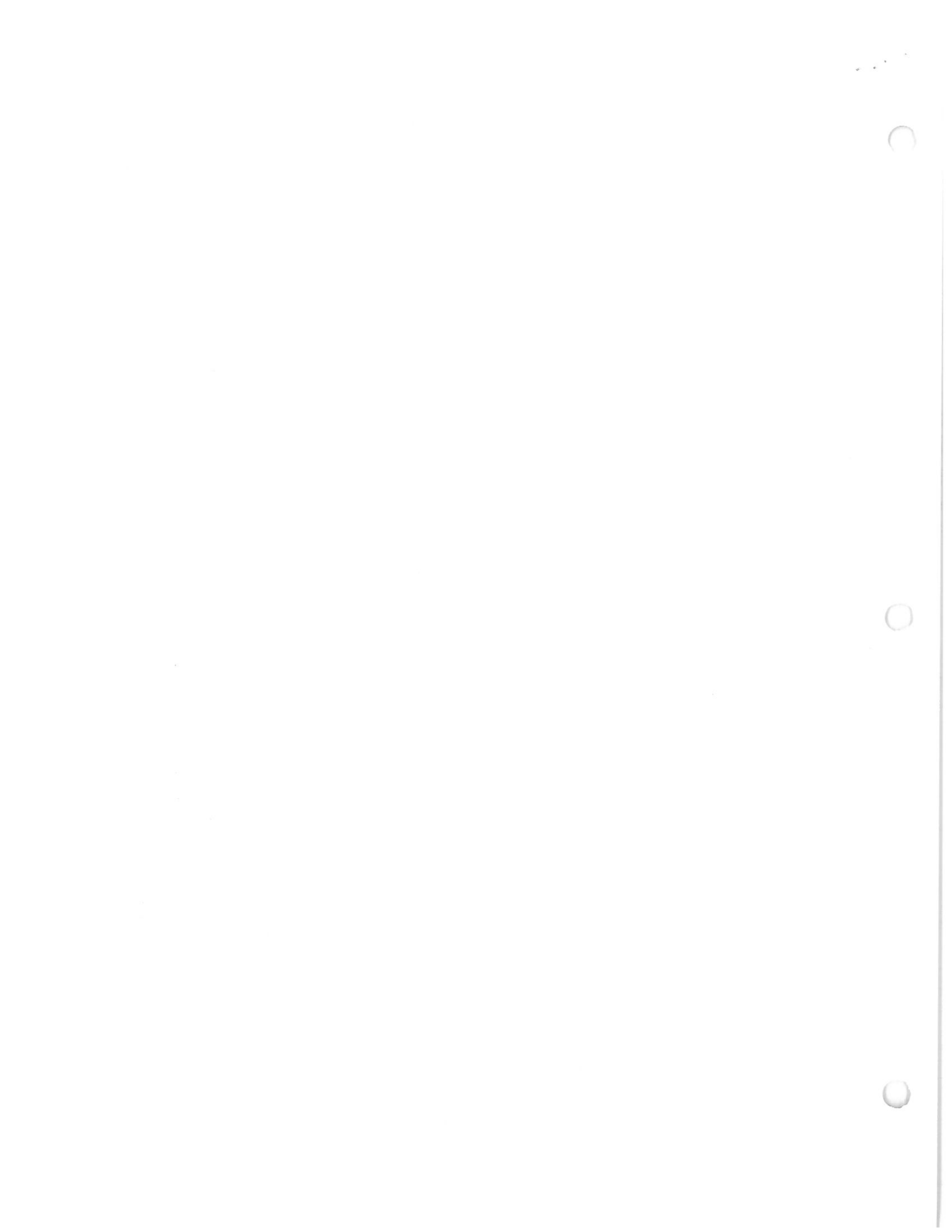


Seconded by Selectman Wood. The board discussed the intent, ramification and practicality of the article. The board also discussed the legal issues surrounding the same. Selectman Darling reiterated that one town can push the issue by petition and how do we know that Pepperell is not sitting on a petition. Chairman Rebholz explained that that assumption is incorrect and that the petition would be to put a motion on all three town warrants. Discussion as to the reasons for Pepperell putting it on the warrant took place. Selectmen Rebholz and Wood voted yes on the motion to remove the article from the warrant and Selectman Darling voted no. The motion passed and the School Representation article was removed from the warrant. Chairman Rebholz moved to sign the warrant. Seconded by Selectman Wood. All in favor.

Chairman Rebholz moved to adjourn the meeting at 9:55 pm. Seconded by Selectman Wood. All in favor.

Submitted by:  
Timothy P. Bragan  
October 4, 1994

0087C/66-69





## BOARD OF SELECTMEN

P.O. Box 669  
Townsend, Massachusetts  
01469-0669  
(508)-597-2837



MINUTES FROM MEETING HELD  
September 20, 1994

- 1.1 Chairman Rebholz called the meeting to order at 7:07 P.M.
- 1.2 Roll call taken showed all Selectmen present.
- 1.3 There was one deletion to the agenda and it was 5.4.
- 3.1 Chairman Rebholz moved to appoint Mary Ann Kinirey as a Reserve Recruit Police Officer for the term September 12, 1994 to December 31, 1994. Seconded by Selectman Wood. All in favor.
- 4.1 The board reviewed and updated changes in hours for Memorial Hall and Annex. Chairman Rebholz explained the need to discuss the hours for Fire Chief and Treasurer. Wood asked if the board could delay a discussion on these issues. The board agreed with the request. Selectman Darling expressed he could not vote for these hours. He asked how can we run a town on 20 hours a week for the Town Clerks office and having an Assessing office only open until 11 AM or 11:30 AM. Chairman Rebholz explained that this was only a movement of hours and it gives better access to the public. He went on to say that no matter what we as a board do here this evening the Town Clerk and the Assessors can hold whatever hours they want as they are separately elected offices. Selectman Wood asked about the tri-town assessor and if that would provide more hours. It was explained that that could be a possibility. Selectman Darling asked about increasing hours with additional appropriations. Selectman Wood explained that we cannot force hours to increase and what the hours are to be. Selectman Darling stated that the best thing the town could do is pass the recall. Selectman Wood moved to try for six months the new hours. Seconded by Chairman Rebholz. Chairman Rebholz stated this will open the offices to the public. Selectman Wood asked to review the hours in three months time. Chairman Rebholz agreed. Chairman Rebholz moved to rescind all other motions. Seconded by Selectman Wood. All in favor. Chairman Rebholz moved to accept the hours as stated for a six month trial period with a review in three months. Seconded by Selectman Wood. Two in favor (Wood and Rebholz) with one opposed (Darling).
- 2.1 Senator Antonioni addressed the Selectmen and inquired if there were any issues the board had. The board discussed the issue of grants and the Senator explained that when the town submits grant applications to make sure and notify his office and they will be happy to assist. The Senator discussed the debt service problem of the State. Selectman Wood brought up the issue of health insurance cost for school retirees not counting toward education costs and thus being treated like transportation costs. The Senator explained there are a number of changes that have been submitted but he was not aware of this one. Selectman Darling asked if any other cost could be dropped from the education reform formula. The

Senator said not that he was aware of. Selectman darling asked how long it would be before education reform is workable in the communities and everyone is happy. Senator Antonioni explained that ed reform was an ongoing process. Selectman Darling asked about this reform not taking into account regional systems. Senator Antonioni explained they presented a problem and do not lend themselves to the bill. Selectman Darling asked why the State is not pushing the regional school representation issue as per the Brockton case. The Senator explained he was not aware of the Brockton case and read about the issue a week ago in the press. Selectman Darling asked the Senator to look into this issue.

- 4.2 The board reviewed the Planning Board Referral regarding Cleary at 340 main Street. Selectman Wood asked to make sure that all sandy areas were paved. There were no other comments pertaining to this referral.
- 4.3 The board acknowledged the resignation of Barbara A. McEndarfer from her position as an Election Warden.
- 4.4 The board followed-up on a complaint about a local business. The board discussed concern of a report they had received and that they would wait to see if the 7 day follow-up report is any better. Selectman wood stated that in the meantime we should check on the process to hold a hearing. Attorney Riddle expressed that we should inform business owner in writing of hearing.
- 5.1 Selectman Wood moved to approve Payroll Warrant 12P. Seconded by Selectman Darling. Two in favor (Wood and Darling) with none opposed and one abstention (Rebholz).
- 5.2 Chairman Rebholz moved to approve bills payable warrant 12B. Seconded by Selectman Darling. All in favor.
- 5.3 Purchase orders were reviewed and approved.
- 5.4 Move to approve the minutes from September 6, 1994. (This was deleted from the agenda)
- 5.5 Executive Secretary Report.

A) Selectman Wood was reminded of the information needed to do the Eagle scout proclamation.

B) Selectman Wood discussed the reason for the Ambulance write-offs for Worker's compensation. She explained that they only cover \$100 and anything over that the town picks up. Chairman Rebholz moved to approve the remaining amounts for the ambulance write-offs. Seconded by Selectman Darling. All in favor.

C) The Executive Secretary informed the board of the possibility of being eligible for a waiver from DOR for the Schools. He went on to explain that one of the other two towns would have to vote as well to get the school system to apply for the waiver and that Pepperell's Executive Secretary did not believe his board would be interested in going for the waiver and possibly hurting the schools. The board expressed interest in the Executive Secretary talking to Ashby to get their input.

D) The Selectmen were informed of the letter received from Ira Grossman regarding drainage and the integrity of septic systems located on Highland Street and Old Meeting House road. The board expressed its concern and said they would look into the matter.

E) The board was given copies of the letter from Town Counsel in response to Mr. Page's letter concerning dog fines. Selectman Darling asked which option counsel recommended. Counsel replied that the bylaw is not wrong and if the board wanted to change it then she would assist to do so at the next Annual Town Meeting.

F) The board was informed of the material from Mass Highway and that it would come up at their next meeting.

G) The board was informed of the invitation from Montachusett Home Care for their 20th Annual Meeting to be held Monday, October 3, 1994 at 9:00 AM.

H) The board was informed of the Council on Aging food distribution to take place next week.

I) The Selectmen were reminded that the Congregational Fair would be occurring on Saturday, September 24, 1994 and that Brookline Street would be closed between Cumberland's and the northerly end of the common.

- 2.2 Chairman Rebholz moved to go into executive session to hear a complaint of an employee. Seconded by Selectman Darling. Roll call showed Selectman Darling, Selectman Wood and Selectman Rebholz all voting yes. The board went into executive session at 8:45 PM. Chairman Rebholz moved to come out of executive session at 9:55 PM. Seconded by Selectman Wood. Roll call showed Selectman Darling, Selectman Wood and Selectman Rebholz all voting yes to come out of executive session.

Chairman Rebholz moved to adjourn the meeting at 9:56 PM. Seconded by Selectman Wood. All in favor.

Submitted by:  
Timothy P. Bragan  
October 18, 1994

0087C/70-72



## BOARD OF SELECTMEN

P.O. Box 669  
Townsend, Massachusetts  
01469-0669  
(508)-597-2837



Selectmen Meeting Agenda  
MEMORIAL HALL  
7:00 P.M.  
September 20, 1994

### I. Preliminaries:

- 1.1 Meeting Called to Order
- 1.2 Roll Call
- 1.3 Agenda - Additions/Deletions

### II. Hearings/Appointments:

- 2.1 7:05 P.M. Senator Antonioni RE: General Discussion with Board
- 2.2 8:30 P.M. Meeting to hear a Complaint of Employee

### III. Appointments of Personnel:

- 3.1 Move to appoint Mary Ann Kinirey as a Reserve Recruit Police Officer for the term September 12, 1994 to December 31, 1994.

### IV. New Business:

- 4.1 Review and update changes in hours for Memorial Hall and Annex.
- 4.2 Review Planning Board Referral RE: Cleary 340 main Street.
- 4.3 Acknowledge resignation of Barbara A. McEndarfer from her position as an Election Warden.
- 4.4 Follow-up on local business complaint.

### V. Work Session:

- 5.1 Approve Payroll Warrant 12P.
- 5.2 Approve Bills Payable Warrant 12B.
- 5.3 Review purchase orders.
- 5.4 Move to approve the minutes from September 6, 1994.
- 5.5 Executive Secretary Report.

### VII. Adjournment



## BOARD OF SELECTMEN

P.O. Box 669  
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### MINUTES FROM WORK SESSION HELD September 27, 1994

- 1.1 Chairman Rebholz called the meeting to order at 7:34 P.M.
- 1.2 Roll call taken showed all Selectmen present.
- 2.1 Chairman Rebholz moved to approve the payroll warrant. Seconded by Selectman Darling. Two in favor (Wood and Darling) with one abstention (Rebholz).
- 2.2 Chairman Rebholz moved to approve the bills payable warrant. Seconded by Selectman Darling. All in favor.
- 2.3 Town Counsel, Attorney Riddle, addressed the board regarding the bfd processed used by the Board of Health for the Hydrogeological study. She explained the Board of Selectmen would have to sign the contract. Selectman Wood moved to sign the contract and have the Chairman sign and initial where necessary. Seconded by Selectman Darling. All in favor.
- 2.4 The Executive Secretary explained to the Board of Selectmen the procedure for holding a hearing on a common victualler license. Chairman Rebholz moved to have a hearing on the 11th of October and to notify the owner in writing. Seconded by Selectman Darling. All in favor.
- 2.5 Chairman Rebholz moved to go into executive session at 7:57 PM to hear a complaint about an employee. Roll call, Selectman Darling, yes, Selectman Wood, yes and Selectman Rebholz, yes. Chairman Rebholz moved to come out of executive session at 9:23 PM. Roll call, Selectman Darling, yes, Selectman Wood, yes and Selectman Rebholz, yes.

Chairman Rebholz moved to adjourn the meeting at 9:24 PM. Seconded by Selectman Darling. All in favor.

Submitted by:  
Timothy P. Bragan  
October 18, 1994

0087C/073



# BOARD OF SELECTMEN

P.O. Box 669  
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01469-0669  
(508)-597-2837



Selectmen Work Session Agenda  
MEMORIAL HALL  
7:00 P.M.  
September 27, 1994

- I. Preliminaries:
  - 1.1 Call the meeting to order
  - 1.2 Roll call
  
- II. Work Session:
  - 2.1 Move to Approve Payroll Warrant 13P.
  - 2.2 Move to Approve Bills Payable Warrant 13B.
  - 2.3 Meet with Town Counsel RE: Board of Health Bid Process.
  - 2.4 Discuss process for holding a hearing on a common victualler license.
  - 2.5 Meet to discuss complaint regarding an employee.
  
- III. Adjournment

